it is this. Policemen complain that the occupants of these houses are in the habit of throwing garbage and water into the etrect, especially in Summer, and that there is great difficulty in fixing the act upon any one individual where there are so many together. One cause of the bad management of tenement houses is owing to the fact that the owners in many cases are non-residents, and let their buildings to sub-landflords, there are non-residents, and let their buildings to sub-landflords, there are non-residents, and let their buildings to sub-landflords, the same raise togenates too far from the control of indihas removing tenants too far from the control of land

Mr. F. G. Leckey made some remarks in referen Mr. F. G. Luckey made some remarks in reference to ventilation, and exhibited a specimen of a new building material composed of lime and sand, in the form of a rectangular block, ten inches by four and five, and having in the center a vertical, clongated aperture. These blocks are designed for the external walls, and to be so placed as to afford numerous channels for ventilation to be connected with the various rooms of a building. It was stated that the material is formed by simply compressing the sand and lime together in a dry state. The cost will not exceed two thirds of the cost of good brick.

Mr. Gerene, President of the Association owning the Workingmen's Home, which was visited by the Committee yesterday, by request, made some further explanations in regard to that building, and submitted for the in-spection of the Committee the plans and

for the inspection of the Committee the plans and specifications of the same.

Mr. C. J. Forson stated that he was an agent, and

had had considerable experience in the management of tenant houses. If the law conferred greater powers on landlords, these houses might be kept more cleanly. The cost of ejectment should be fixed at a nominal on landlords, these houses might be kept more cleanly. The cost of ejectment should be fixed at a nominal sum—say \$1; as it is, the cost of present proceedings to eject a tenant is between \$3 and \$4, if no opposition is made by the latter; but if the tenant chooses to be obstitute, he can put in a counter affidavit and thus delay proceedings; the cost in this case is about doubled. Mr. Folsom said that his brother was the proprietor of "The Barracks" in Goerek street, previously visited by the Committee, and described by The Tribunn; and that he was agent for the same. The ground on which they stand is estimated to be worth \$9,000, and similar structures would now cost about \$15,000 to build. The receipts last year from "The Barracks" amounted to \$3,000; this year they will probably not exceed \$2,000. He should think the property returned a profit of about 10 per cent.

M. Alexander, a German, and sub-agent of Mr. Folsom, was examined, and stated that he had charge of The Barracks. The two houses include 72 suites of rooms, and the average number of families is about 50; the rooms are let for \$3 to \$4.25; the rentis always required to be paid in advance; if that is not done within a week or two, at farthest, measures are at once taken to eject them.

The Committee will assemble again this morning at

within a week or two, at farthest, measures are at once taken to eject them.

The Committee will assemble again this morning at 10 o'clock, at No. 8 City Hall. A part will proceed to examine tenements in the Eighth, Ninth and Seventeenth Wards, and a part hold a sessions at the Hall to hear any additional suggestions that may be made on this subject.

ACADEMY OF MUSIC.

THE NEW OPERA.

Upon a third hearing of Signor Arditi's Opera, La Sp.a, we are further satisfied of the excellence of the work and of the deserved success of the composer We speak all the more emphatially because the oper has been composed in this country, and it rests for success entirely on the verdict given here at first hand, In regard to the originality of La Spia, it may be proper to remark that the Opera does not exist against which the charge of resemblance to other operas may not be and has not been brought. There is necessarily in music much similarity of school merely. Next are melodic similarities growing out of the versification of the language to which those melodies are set. Now in English ballads even, where iambies are used almost exclusively, similarities of this latter kind occur; but in Italian music, where the versification is various, and often with certain cesural pauses that giva family likeness to all the melodic phrases set unaffert edly according to natural declamation, these apparent plagiarisms are yet more apt to stick out. It would be easy to cite numerous examples in point. We mention this because no criticism that we have ever en countered makes any allowance for this, though every composer knows it and feels it. There are other sources of similarity proceeding from the recognition of the fact that certain chords are best adapted for certain effects. To analyze those would lead us technically too far. Then there are similarities of form, experience showing that for effects of the musica drama where, unlike those of grand orchestral pieces, the compeser is hedged in by stage necessities, the scientific development of ideas is hardly admissible; and hence the larger field for unchecked fancy, the scope for reverie, and the musical sky for zig-zag is wanting more or less. Next comes the fact that the musical meledies chosen for the voice must be those which can be not only readily grasped by the singer, but of a character easily embraced by the popular car, and hence the latitude allowed to instrumental meledies is wanting for opera airs. Other sources of similarity could be cited, but these will suffice, our object being simply to call attention to the matter,

rather than enter into full explanation therefor. The necessity also which each composer is under not to ante-date his music, not to fall behind the spirit of the age, and not to write "music for the future," if he expects this generation, or any other, to listen to it, causes him to avail himsel total of effects already elaborated, and add thereto simply his own individuality. The best composer, therefore, is in one sense the greatest plagiarist. Mo zait, whose Don Giovanni yet holds its place on the stage, sought an effect wherever he could find it, and the merit of his music is not less his own personality than the manner in which he availed himself of his predecessors. He took the cantabile of the Italian song, the harmony of the Italian church, the dramatic discoveries of Gluck, (none of whose operas, by the way, have been heard in this country), the fugues of Bach and Handel, and added to all their good points his own. The first architect was the builder of the log cabin, and the merit of him who reared the Cologne Cathedral is that he took all he could find from his predecessors, and added thereto his own ingenuity. And the rule holds good all art and all science. But allowances are not made for such necessities in music. Hence we have seen the charge of deficient originality brought against every opera. To cite facts, the Barber of Sevillethe most perfect comic opera ever written-was utterly condemned in the chief Paris paper-the Journal de Débats, if we recollect aright. When Meyerbeer's Robert le Diable was produced in London, it was in like manner condemned. When Bellini's Pirata-x work bearing all his distinct individualities-wa brought out, the chief London paper said it was well named, for every piece in it was pirated. Somrambula likewise was said to have no merit. All Venil's operas there have been critically damned without exception. To go to earlier days, we find that Mozart and Beethoven had their troubles as to the excellence, or, in other words, the originality, of their operas; and the latest developments of the history of the former composer show how little was done for his operas, while Recthoven concluded his musico-dramatic career with but one complete opera-his first experience with the public being sufficient.

In looking, therefore, at Signor Arditi's work, it is quite sufficient to regard its beauties, which abound; and as to its originality, consider whether he has taken more at the start of established effects than, for example, did Rossini, whose chief peculiarity, the cres cendo, which appears in almost all the great maestro's pieces, was taken bodily from a now-forgotten com poser, and whose indebtedness to Cimarosa and Mozart he himself acknowledges, and the public does for him

MUSICAL INTELLIGENCE .- The Philodelphia City Item gives the following intelligence respecting the new Grand Opera-House, now far advanced in buildng, and which is constructed, we ore informed, so a to have every known advantage, and is to be an improvement on any opera house in Europe. So much for Art in America. While yet Mr. Custis, the adopted son of the first President, Washington, lives a hale old man-the national history thus being comprised in the portion of the life of one man-an opera-house superior to any in Europe is on the point of being completed, and that, too, not in the principal city of the

"Width of stage department, 150 feet; width of stage proper, 90 feet; depth, 73 feet; width of auditorium, between the walls, 90 feet; hight to dome, 70 feet; depth from curtain to back of boxes, 103 feet; Hespital.

width of curtain, 48 feet; width of lobbies, at prowith of curtain, as feet; with of lobbies, at prosec-nium, 9 feet, gradually widesing at vestibule entrance to 13 feet; entrance of lobby on Broad street, 10 by 73 feet; vestibule on Broad street, 28 by 73 feet; two main stairways in vestibule, width of each 13 feet; width of same to second tier, 8 feet; to third, 7 feet. The grand saloon, which can be used for concerts, lec-tures, balls, &c., is 39 by 85 feet; hight of same, 39 feet; the number of exit doors is 14, all of them open-ing curtain and comprising a process of 112 feet; and ing outward, and comprising a space of 117 feet; of that a full house can be discharged in from four to five minutes; the covered carriageway is 70 feet on Locus street to curb; width of Broad street pavement, 18

street to curb; width of Broad street pavement, 18 feet; Locust street do., 12 feet; stage excavations below the foor, 10 feet; under remainder of the house, 81 feet; heated by steam generated by two boilers. The auditorium is to be illuminated by a circle in the dame, containing 500 jets, also by two rows of jets along the connices, and by bracket lights against the walls.

"There will be ventilating flues throughout the house, connecting with the main ventilating shaft, over the illuminating circle. The parquet entrances are, to wit: two at orchestra, 3 feet wise, gradually enlarging to 61 feet at lobby, with two additional side entrances, each 51 feet wide. Numerous other passages throughout the house, leading to seats, commence along the inner circle, being 2 feet broad, and gradually widening to 4 feet at lobbies. Restaurant in basement, 26 by 62 feet; hight of the building to cornice 60 feet. The roof will be of iron, main span 90 feet; passage-way on south flank 10 feet; passage-way on rear to Westmoreland street 15 feet; a baleony on

rear to Westmoreland street 15 feet; a baleony Broad and also one on Locust street, each 70 feet. "These facts and figures are a sufficient evider that the new Opera House will be worthy of Philad phia, while the rapid progress being made with the work renders its speedy completion almost certain."

CITY ITEMS.

After such a day as yesterday, there can be no fear that March will lose the character of being the most changeable, boisterous, disagreeable month of the twelve. The wind seemed to have set apart the 28th to do its utmost. It blew from all quarters at once, with a violence of hurricane strength, raising clouds of dust, and for a time in the morning bringing showers of snow. During the afternoon and evening it was very cold. It is said that if March comes in like a lion it will go out like a lamb; but this month must prove an exception, since it came in like a lion and gees out like two lions and a small tiger.

THE EUDORA TRAGEDY-DISCHARGE OF THE NE-ORO WILSON-HIS ARRIVAL IN THIS CITY .- DUTing last week writs of certiorari were sued out in the case of George Wilson of the Eudora Imogene, by his counsel, W. T. B. Milliken, before the Hon. W. H. Robertson, Westchester County Judge, and upon the hearing yesterday, (28th,) Wilson was discharged from custody. The grounds upon which his counsel claimed his discharge were, that the process or commitment was irregular and insufficient; that being, from this cause, entitled to a pro forms discharge, he cannot be remanded without the deposiions clearly establish the corpus delicti, and connect the prisoner with the crime; the officer before whom a writ of this nature is returned cannot take notice of any facts which are not properly before him by virtue of the writ; the process or commitment being irregular, and there being no preofs whatever before the Court, the prisoner must be discharged. From some apprehension occasioned by the strong public feeling against Wilson, Mr. Milliken accompanied him to this city, whence, we understand, he will soon go to soa. No one acquainted with the circumstances of the affair has the least doubt but that the negro committed the murder, but the precautions used in secreting or destroying the bedies, will probably prevent their ever being recovered. It is most probable the remains were cut up, and the flesh burned off, and the fact that a piece of human flesh was found on the deck, strengthens this supposition.

CHARGE OF SEDUCTION .- John Kelly, a tinsmith, residing at No. 103 Third avenue, was yesterday arrested by Officer Dunn of the Seventeenth Ward, charged with the seduction, under the promise of marriage, of Ellen Fitzgerald of No. 11 Bank street. The complainant states that she became acquainted with Kelly about a year ago, who, after visiting her frequently, proposed marriage and finally effected her ruin. They subsequently, however, went to the church, corner of Duane street and City Hall place to get married, but the priest refused to perform the ceremony on account of their names not having been published to the congregation. Since that time Kelly has refused to marry her, and has until recently, resided in Charleston, S. C. On his arrest he was taken before Justice Brennan and committed for examination. He denies ever having agreed to marry the

School Examination,-The Boys' Department of School No. 41 was examined yesterday. The number present was 435, and the examination was fully equal to anything seen in the Schools so far. A class of 144 exhibited great facility in solving problems in Algebra; many of them worked well in Quadratic Equations. The Arithmetic was nearly as good. An examination in United States History showed a good acquaintance with the facts themselves, and not with any particular history. The drawings were very good; some blackboard sketches were particularly striking. Mr. Geo. W. Harrison teaches drawing, and he hopes to introduce sketching from nature in the course of the Summer. The teachers in this Department are: Thos. T. Harrison, Josiah, H. Zabriskie, Geo. W. Harrison, Cha. Wm. Smith, Jacob Kirkner, and Misses Edith L. Ashby, Anna R. Dunbar, Louisa C. Burke, and Maria Vicipia Kohler.

School No. 35, in Thirteenth street, near Sixth aveme, will be examined on Monday.

The accusation made by Ellen Kelley against Thos. B. Barnaby, esq , after a full investigation of the facts by Justice Flandreau, has been dismissed, there being nothing whatever found against the character or conduct of the defendant; and he has been honorably acquitted and discharged.

NEW YORK AND PHILADELPHIA .-- As the Delaware is cleared of ice, on and after Monday, March 31, the 11 a. m. and 4 p. m. trains from New-York to Philadelphia will go via Taconey by steamboat, and the 6 p. m. via Camden.

We are indebted to Wells, Fargo & Co., Freeman & Co.'s Express, the Pacific Express Company and the San Francisco news depot of J. W. Sullivan for the delivery of California and other papers.

Correction.-We are informed from Mr. Palmer, member of the Know-Nothing Council in the Tenth Ward, that some remarks attributed to him in a report published in our columns on Wednesday with reference to Mr. E. Combs were not made by him; and that he did not allude to Mr. Combs in an unfavorable manner at all. Upon this assurance we cheerfully publish this correction.

ATTEMPTED SCICIDE BY A COBAN EXILE.-Mr. John Hercheverrie, a Cuban exile, attempted self-destruction yesterday by drowning. He was rescued by Officer Busteed and taken to the Lower Police Court. It appears that the unfortunate man was for nine months imprisened by the Cubans for his political creed, and, having escaped from his confinement, fled to this city, where he has lived almost in a state of destitution, far from his famely and friends. His sufferings induced him to make an attempt to take his life, but he was rescued, and now returns to them. He remains in the City Prison, hoping for some benevelent hand to be extended to his relief.

Assault WITH a KNIFE -Mary Cole, a colored girl, and bar-tender at No. 3 Thomas street, a vile locality, was yesterday arrested for assaulting Julia Boston, also colored, living at No. 7 in the same street, and cutting a severe gash in her face with a butcher knife. An old grudge existed between the two, and yesterday they came in collision in West Broadway, when the accused drew the knife from under her spren and inflicted the injury above stated. She was taken before Justice Councily and locked up for trial. The injured girl was sent to the New-York

DESCENT UPON A "FENCE"-LARGE AMOUNT OF Stoles Goods RECOVERED. - Officers Gray and Farley, Sergt. Waish and others of the Police Department made a descent yesterday upon the grocery of Wm. Rando, corner of Mott and Houston streets, which for sometime had been suspected of being a 'fence," or depository for stolen goods. On searching the prenises, the officers found about twenty sets of harness, several buffalo robes, saddles, a considerable amount of silver ware, three resewood guitars, (ornamented with silver,) several sets of sleigh bells, a lot of knives and forks, sole leather tranks and other articles, among which are a lot of silver spoons marked 'Steamer Augusta." All these articles were taken to the Lower Police Court, Centre street, where some have already been identified by their owners. The rest can be seen any day between the hours of 3 and 5 p. m. The police also arrested Louis Walkanning the clerk of the store; but Rando, the proprietor, could not be found. He was arrested sometime ago for feloniously receiving three hogsheads of molasses. Walkanning was committed by Justice Councily for

ATTEMPTED SCIOIDE BY A FEMALE.-Mary Ann Carr, a girl eighteen years of age, was found on Thursday evening in a state of stupor, in one of the streets of the Eighth Ward, and was taken to the Station House, where she was restored to consciousness. She then informed the Police that she was a poor ornhan with no one to care for her, and to get out of her misery, had attempted self-destruction. She was yesterday taken to the Jefferson Market Police Court, and will be detained until provision can be made for her

ATTEMPTED SCICIDE,-Daniel Menges, an English man, thirty-three years of age, was arrested on Thurs' day night for attempting to drown himself in the North River, at the foot of Thirty-fifth street. He was taken before Justice Flandreau, who permitted I im to go upon his promising not to repeat the attempt.

ACCIDENT ON A RAILROAD.—A boy, 13 years of age named High McGraw was dangerously injured yesterday by falling from the rear pistform of car No. 25 of tas Hudson River Railroad. He had jumped upon the platform, and as the car was nearing Jay streat, fell off, and was dangerously injured. He was taken home by the Fifth Ward Police. ACCIDENTALLY DROWNED. - Lawrence Myers,

ACCIDENTALLY DROWNED.—Lawrence Myers, a watchman on beard the steemer M. Sanford, lying at pier No. 11 North River, on Thursday night accidentally fell overboard and was drowned. His body was recovered yesterday, and Coroner Gamble held an inquest upon it. Deceased was a native of Sweden, 25 years of age.

About 10 o'clock last night a man by the name of Wright called at The Herald office to see the press, but they not complying with his request, he proceeded to go down the steps into the press room, when he fell, breaking his neck and was intexicated.

A CARD.

To THE PUBLIC .- In consequence of the publicity which has been given to the existence of a charge example me, made by Ellen Kelley, I feel compelled, out of self-respect, and for the honor of my profession, to state to the misinformed public

the truth of the case.

I pronounced that eccusation then, and I now pronounce it, to be the proceed fabrication that ever was elevated to the dignity of a criminal procedulon. I have always been ready and anxious tenset my secuser face to face in any court of justice. Abundant poof was at hand, both living wincesses and documentary evidence, to stamp with unter falsehood every statementary evidence, to stamp with unter falsehood every statement made by her vile, slanderous tongue against me. Conscious of cutire innocence, and fully persua led that this malicious strack upon my requisation would be returned of fracif, and by its own inherent weakness of its worse corruption and baseness, fall to the ground, I have not before troubled the public err with any explanation. The cutch as been dismissed, after a full investigation, but without even requiring the production of the testimony which, fortunately, I could have presented.

This same creature, on whose oath I have been subjected to this outrageous wrong, without cause, and equally without reduces, this same detested libeler was afterward arrested, in consequence of a consession of one of the parties charged jointly with her husband, John Kelley, and convicted of the mast revolting larceny that has for years been known to our criminal courts. In her residence had been previously found some articles of the missing property, and on her arrest, some three weeks after the larceny, there was found concealed about her person shout \$700 of the stolen gold coin. See list, to protesting as she did the innocence of herself and her husband, and also lied when she uttered the inst word injurious to my name.

A criminal charge, when once dismissed, ought to be forever forgotten. An exparte accusation, published letters a hearing is she did not his account was informed to a hearing as the did not have been announced falson, herself subsequently proven to be equally guilty with her associates. May upon her sweet, unsecrotoorated statement, I pronounced that eccusation then, and I now pronounce it, to associates, may, upon he would interest as one a lawyer, while doing his whole duty to be serious crime, and give that rales secusation to public threat his Press; then there is no safety and no protection for henor, integrity, and a gentle lead of obloquy should be ind upon the instrumible to proceed the procedures, and they should be in malicious procedures, and they should be in

THIS AFTERMOON AND EVENING,-They will THIS APTIBLYOUS AND EVENING.—They Will erform the great Chinese Spectacle of "Abdiling Or, Ta-vonderful Lamp," at Barkun's Museum, both this afternoon of the evening. It is the most rorgoom piece ever put upon be stage, and eights the unqualified admiration of every spec-ver. The Lady will enter the Den of Lions twice to-day, as

DISEASES OF THE LUNGS-NOTICE. Dr. Robert Huxten begs to inform his patients in Philadel Dr. ROBERT HUNTER begs to inform me pained in an another phia that he has opened an establishment in that city, under the professional charge of Dr. F. Monson, for the special treatment of discuses of the throat and tungs.

Dr. Monson is a member of the Royal College of Surgeons, London, and has enjoyed, both in that city and New-York, long

London, and has enjoyed, both in that city and New-York, long and great experience in the treatment of pulmonary affections. Dr. Hunner would also state, for the information of his pa-tients residing in Baltimere and Washington, that Dr. John Baitsand Williams will hereafter be associated with the Bal-timore office.

BLISSARD WILLIAMS will hereafter be associated with the Baltimore office.

These arrangements have been rendered necessary by the growth of the practice in Philadeiphia and Baltimore, and by the retirement of Dr. James Hunter in consequence of ill health. Patients in these cities will in future epoy not only all the advantage of Dr. Hunter's advice, but the additional benefit of the personal care and supervision of skillful and accomplished resident physicians.

In The Specialist and Journal of Diseases of the Chest for February an extended explanation of Dr. Hunter's views and treatment will be found, with much additional information, which should be read by every one predisposed to or suffering from any sifection of the throat or lungs. The Specialist can be recurred of the publishers, Messrs. Suramas & Co., Aster House. Person residing at a distance, who are prevented by the state of their health, the weather, or other considerations from visiting the city for advice, can be prescribed for by letter. In such cases it is necessary that the patient should excelled ease. To render such description more exact, a list of questions has been prepared, which will be sent, with a specimen copy of the Specialist, on application to either of the following advances:

New York D. R. ROSERT HENNER, No. 522 Broadway.

dresses:

New-York—Dr. Robert Hunter, No. 222 Broadway.

Philadelphia—Dr. F. Mossos, No. 302 Walautes.

Ballingre—Dr. J. B. Williams, No. 52 North CharlesNork.—Dr. Hunter may be consulted personal y as here
fore from 9 a. m. to 4 p. m., (3aly.

New-York, March, 1856.

[Advertisement.]

EDWARD H. DIXON, M. D., Editor of The Scalpel, attends exclusively to OPERATIVE SUBGRET and CONSULTATIONS on the more OBSCURE DISEASES of the System, at No. 42 Sth. av, between 10th and lithests. Hernis, Piles, Prolapsus and Fistule are permanently cycled without the knife or ligature. Office hours from \$ to 9 moralings, 1 to 3 and 7 to 9 evenings. At all other hours he is at his private hospital, where every comfort of domestic life is provided for those who require careful restment and straical treatment.

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[Advertisement.]
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[Advantagement J.]

A PERFUMED BREATH.—What lady or gentle A FERFUSIED BREATH, —What Bady or gentle-man would remain under the cause of a diagressible breath, when using the Balm or a Thousand Flowers as a dentiffice would not only render it sweet, but leave the teeth white as alabaster! Many persons do not know their breath is bad, and the subject is so delicate their friends will never mention it. Four a single drop of the Balm on your tooth breath and wain the teeth night and more ing. A fifty cent bottle will last a year.

the subject is so delicate their friends will never mention it.

Pour a single drop of the Balm on your tools breach and wash the teeth night and more line. A fifty cent bottle will last a year.

[Advertisement.]

DR. PHINNEY'S VEGETABLE FAMILY PILLS have become a standard Cathartic. They give strength and leave the bowels free and natural, overcoming Costiveness, Billiossuess, Dyspepsia, Rhoumstiam, &c. Reference—John C. Chersenna, M. D. For eale at Higgenian, Clark & Ca.'s stores, Broadway.

Broadwa

THE ATTENTION OF MILLINERS is especially equested to our stock of Straw Goods, comprising a great

requested to our stock of Straw Goods, comprising a gree variety of Borners, Hars, Flowers and Trimmings, adapted to the Straing Tribe. Also, Shaker Hoods.

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To cure a Cough, buy a bottle of the Balsam with Cherry. We have more faith in this combination of a. WINTER than in any other remedy known, having witness dits entire success in many cases of protracted Cough.

NOTICE TO THOSE TROUBLED WITH HUMOR. Owing to the great demand for my Ointments for the cure of Scrotiles in New York City I shail be at No. 4 Plymouth House No. 4.29 Broedway, from 78th lines, to April 1. All who are tradewish Scrotilous Houses are respectfully insited to call. Ad vice in all cases gratis.

Donald Kenney,
Proprietor of Kennedy's Medical Discovery,
Rozbury, Mass. ---

ing, and healing qualities, essentially different from all other Catarrh Snoff. For sale at all respectable Drug Stores in Nove York City and elsewhere, and at wholesale, at the Proprietor's prices, by STEPHEN, PAUL & Co., No. 149 Chamberset, N. Y. City, HRGEMAN, CLARK & Co., Nos. 155, 273, 511 Broadway; RUSHTON'S, Nos. 10 Aster House and 417 Broadway; BARNES & PARK, No. 204 Broadway; M. MILLS, Broadway; BARNES & PARK, No. 204 Broadway; M. MILLS, Broadway; M. Y. JAMES DURNO, Proprietor, Albany, N. Y.

BROOKLYN ITEMS.

BEFACE OF MARRIAGE PROMISE,-A case of this nature was brought up for trial in the Circuit Court (Judge Davies) yesterday. The parties are Sarah Jones, complainant, and David Evans, defendant. Both are, or were, in the employ of Wm. Halsey of Clinton avenue-the man as coachman and the woman as coek. The damages claimed by the complainant are \$5,000. It is alleged in the complaint that, after promise of marriage, the defendant effected her seduction. This was in September, 1854, and in June of the following year a child was born. Four of plaintiff's s'sters were examined, and they proved that defendant had paid considerable attention to her (the plaintiff.) When she found she was enciente, she sent word to him by one of her sisters of her condition, and, denying the paternity, he positively refused to marry her. The defense attempted to show improper conduct on the part of plaintiff. The case is not yet concluded.

THE INJUNCTION ON COLLECTOR WOOD,-The item published yesterday in relation to the injunction issued by Judge Strong against Collector Wood, of this city, was incorrect in the main particular. The injunction was laid in consequence of alleged informality in en tering judgments against Isaac C. Delaplaine, and no on account of the insufficiency of the advertisement.

TENEMENT HOUSES.—The Police have reported most of the tenement houses of this city containing over four families.

The Second, Fifth, Fitteenth, Six centh and Eighteenth Wards are yet to hear from, when the whole account will be transmitted to the Legislative Committee on the subject.

LAW INTELLIGENCE.

THE COX DIVORCE CASE-VERDICT FOR THE DEFENDANT.

SUPERIOR COURT-MARCH 28-Before Judge OARLEY. This case was brought to a close this mornirg. At 11 o'clock the verdict was opened in the presence of the Jury. On the second issue framed, and the only real issue in the case, as to whether the defendant was guilty of adultery as alleged in the complaint, the Jury answered in the negative.

Mr. Schaffer asked that the Jury be polled, which was done, and each of its members assented to the

An attempt was made to applaud on the aunouncement of the verdict, but this was promptly checked by the officers in attendance.

We hear that when the Jury retired they stood even for the defendant and five for the plaintiff. The main question in issue was that of the identity of the serson seen by Ayers with the defendant,

All the counsel in the case and the plaintiff were present on the announcement of the verdict. The deendant was not in attendance.

Mr. Schaffer asked that twenty days be allowed the plaintiff's counsel to prepare an appeal.

SUPREME COURT-SPECIAL TERM-MARCH, 1856. MOTION FOR INJUNCTION-IMPORTANT DECISION SUS-

TAINING THE RIGHTS OF MERCHANTS AND MANU-India Rubber Comb Company agt. William Tasker.

India Rubber Comb Company agt. William Tasker.

This was an action brought by the plaintiff to restrain the detendant from many the plaintiff trademarks and labels, or transdulent or simulated resemblances and imitations of the same. On thing the complaint, an order of the Court was obtained, requiring the defendant to show cause why an injunction should not be based foreidding the use of the trade-marks and labels as the detendant was them using them, and temporarily restraining him from such use. The defendant put in an answer and produced many efficavite in support of the course pursued by him, and seeking to justify it as not an unwarrantable later termee with the plaintiff's rights.

It appeared that the plaintiff had the exclusive right of manufacturing latefar-wibber combs of the descriptions in question; that the defendant sold horse combs, made to resemble in color, size and shape the plaintiff's rubber combs, and put up in boxes of the same color, dimensions and appearance with the plaintiff's boxes; that the plaintiff is combe and certain labels on its boxes; that the defendant stamped his combe and certain labels on its boxes; that the defendant stamped his

iff's boxes, that the plaintiff had certain stamps on its combs and certain habels on its boxes; that the defendant stampes in its combs "Imit. Rubber Comb. Co.," and displayed his labels in the same type, order and arrangement with the plaintiff's labels; they are words "The Ima. Rubber Comb Company" in the place of the plaintiff's words on its labels, "The India Rubber Comb Company" Various other special imitations of the plaintiff's labels appeared on an impaction of the defendant's labels. It also appeared that the defendant had precured boxes to be made and labels to be grinted upon the pattern of the plaintiff's boxes and labels. lightid boxes and labels to be printed upon the parents.

The plaintif new moved for a special injunction, which the

The plantiff new moved for a special injunction the general Horrwax, Junice—It appears to me that, upon the general principles applicable to cases of this description, as well as to the particular facts as to the conduct of the defendant, the injunction could to be sentialised.

The following facts appears. After the plaintiffs obtained their right from Goodyear to manufacture India-rubber combs, under the patent, they adopted a form of boxes, color of the paper, and form of the labels, with the design and inscription thereupon. In some particulars, six: form of howes and color of paper, they seem to have employed what had been before in the as to hord combs. It seems, also, that the emblem of device of a comb, on

It seems to me clear that the label of the defendant means to represent that the article is a Rubber Comb of some description. Either the line is a species of rubber or it is the title of the Company. In either event it points out the article as Rubber, and in this particular it is untrue. After the word line is a dashnot a period. It connects with Rubber, and qualifies that word in strict and proper construction. But if it is intended and asserted to represent the word instation, the position is fatal to the defendant, for a toose alaborate and artificial method of collecting the letters of that word to abridge if never could be devised. It would be are contrivance on its face.

In truth, the most natural inference of any one who looked at the label on the boxes of the defendant, especially on the dress comb boxes, would be that the word India was intended, and that some error of practing had occurred. The other correspondences would strengthen this idea.

The good sense and common honesty of the whole matter lies in this, that if the defendant meant to sell his article made of horn as an imitation in any respect of Ludia Rubber, he should be a sense of the title of the defendant meant to sell his article made of horn as an imitation in any respect of Ludia Rubber, he should

is this, that if the defendant meant to sell his article made of hern as an imitation in any respect of India Rubber, he should have plainly and numistakably so expressed it. If he meant to sell it as made of Rubber at all, he decived the public. And his scheme is such as not merely to deceive the public, but to injure the plaintiff

temp upon the drew combs. The difference is certainly con-oderable, and but for the word. Rubber? spon it there would not be ground for a restraint. I think, however, with suce had a fan, that the order should be sustained as to this branch of it

taken, that the other should be sustained as to this brack of it also.

Under securdingly for the injunction continuing the present to praction to the hearing
Mesers Everts and Cutting for plaintiffs; Mr. John E. Burrell
jr , for defendant.

jr, for defendant.

SUPREME COURT—CIRCUIT—March 28—Before Judge Roosevert.
Correline Var Schaick, Aum.; Ac., agt. Daniel Drew, &c., actios against Admin.; Ac., agt. Daniel Drew, &c., actios against Adminst common Carrillers.

The defendants were owners of the steamboat Empire of Trey, plying letteren Troy and New York. Plainters and all of thirteen, was or heard this boat, where he was in the ballet of rending rewespers; Ac., on the 18th of July, 1800, when a collesion took place with the sloop General Leiwingston, in consequence of which he was called as badly that he died. Plainters as his administrator, brings this action under the statute of 147, and claims \$5,000 damages. The case was commenced March 20, when the plaintiff having rested, defendants moved a noneally which was granted upon two grounds.

1. Because there was no proof of negligance. The evidence showed a collision, but no fault. The case differed from that of a breaking caraxie, where the first inference imputed negligence. And under this statute the rule should be stricter.

2. That however hards, it was now a well-settled rule that an employee of the party in fault cannot bring a suit in these cases. This rule is meant to hazine vigilance, and requires all enjoyees to take care of themselves and of each other.

The plaintiff then proceeded to put in other evidence. The case came on again to day. More testimony was given on the part of the plaintiff, and he again res ed. The motion for a non-suit was renewed and granted upon the second ground stated above.

The case of Giles agt, Flagg will be tried by Judge

The case of Giles agt. Flagg will be tried by Judge Fmett of Peughkeyste, Second District, for whose convenience it is postponed till Tuesday, April I.

Before Judge Syrong.

In the matter of Johann Flomer.

Habeas corpus. This was an application for the discharge of a seaman belonging to the Bremen ship Reinhardt.

A suit was brought in Flomer's name against the Captain of the Briebarat for alleged criedly toward him, while the vased lay it a dock at this port. Pending this suit he was arrested on a there of desertion, upon the application of the Bremen Conella and committed for examination; prior to which this writ of habeas corpus was send out. This examination took place before Commissioner Stilwell, who remanded the presoner to the cost of the Gonsul The main question, his Honor remarked, was, whether Mr. Stilwell had jurisdiction over the subject matter. The Act of Feb. 14, 1459, conferred authority in cases of deserton from foreign vessels upon United States Commissioners. The warrant of commissioner discribes Mr. Stilwell as use Commissioner. This decumen is prima facie evidence of the truth of the description, and sufficient for give purisdiction over the person and the complaint. If the Commissioner had jurisdiction over the warrant, it was sufficient on the prisoner's detection up to the time of examination. Was the baleas corpus a legal interruption to further prosecution? I think not. The will observe the desertion of the service of the desertion was not emilicient, but the general return is good, and we have no right to go behind that. For the offence of cruesty alleged there are other remedies. The prisoner is remanded.

General Terme.

GENERAL TERM.

Adjourned to April 14, when decisions are to be

MARINE COURT—March 28—Before Judge Thompson.
Grimm act Smiley & Waldron.
Plaintiff, as assignee of some forty employees of
the Bowery Theater, suce for services rendered during the two
weeks prior to the closing of the theater. The claim is for
somewhat more than \$200.
The point at issue was, whether the defendants were jointly
liable, by virtue of a partnership, as proprie ors and managers
of the tennies of the

The point at issue was, whether the defendants were jointly lishle, by virtue of a partnership, as proprietors and managers of the temple of the Bowery Thespis, Mr. Waldron denying such partnership.

Upon all the évidence in the case—which condisted of assignments in writing and orders to the supernumaries in the greencom, and did not develope any mysteries behind the scenes—the Court held that the defendants were partners, and accordingly gave judgment for posintiff.

UNITED STATES COMMISSIONER'S OFFICE-March 22. The crew of the ship Dreadmought, in custody on a charge of revolt and mutiny, were discharged.

COURT OF APPEALS—Marcu 25.

Nos. 43, 50 reserved for April 9. No. 177 reserved for April 3. No. 19, default opened and cause struck off. No. 247, People vs. Sacceker. Argued. Mr. Samuel Beardsley for appellants. Mr. J. P. Furrett for respondent. No. 3. Tracy vs. Leavitt. On araument Mr. Samuel Beardsley and Mr. N. Hill, jr., for appellant, Mr. Abijsh Mann for respondent.

MARRIED.

CAULDWELL-MEDLICOTT-On Saturday, March 2. by
the Rev. James Millett, at his residence. No. 171 East Sevatteenth street. Mr. WILLAM S. CAVLOWELL of Bethell,
Coth., to Miss SARAH ANN McDLICOTT of Worcester,
Mass.

Mass.

CROSBY-HOYT-At Stamford on Thursday, March 27, by the Boy Dr. Tedd. S. L. CROSBY of now-York, and ELIZABETH ROYT of the former place.

DONNELLY-HENNION-In this city, on Thursday, afternoon, March 27, by the Rev. W. H. Norris, Mr. JAMES DONNELLY and Miss JOSEPHINE HENNION, both of Newerk, N. J.

Newest, N. J.

GILLESPIE—HENERY—On Friday, March 28, at the real
dette of Mr. James Gallaghet, corner of Suffolk and Houston
streets by the Rev. R. Rebinson, Pastor of Norfolk street
M. E. Church. Mr. GEORGE GILLESPIE of New-York
City, to Miles MARGARET HENERY OF States Island.

GRIFFITHS—OWENS—In this city, on Wednesday, March
26, by the Rev. Joseph P. Thompson, the Rev. GRIFFITH
GRIFFITHS, Pastor of the Webn Congregational Clauren in
this city, to Miles MARY ANN OWENS, daughter of Mr.

Has city, to Miss MARY ANN OWENS, tangues of Mr. Thomas H. Owens of Treaton, Ohenda County.

HoBBE — MARSH — Near Rahway, N. J., on Thursday, March 27, at the resistence of the brisle's father, by the Rev. Mr. Mott, JOHN M. HIUBBE to JENNY MARSH, eldest daughter of Dr. S. N. Marsh, all of that piace.

daughter of Dr. S. N. Marsh, all of that place.

HENDERSON-GREGORY in Jercey City, on Thursday,
March 7, by the Rev. Mr. Inviria, Mr. A. M. I. HENDERSON to Miss ABBY ELIZABETH, daughter of the late
is Gregory, all of the former place.

MONEOF-MORTIMER-On Thursday, March 27, by the
Rev. Dr. Qiackenbose, Mr. WILLIA in OTAS MONROE to
Miss MATILIPA LOUISA, eld-st daughter of John Mortimer,
all of Brooklyn.

(C.NECE-PETENGLR-In this city, on Tuesday, March 25, by the Ber Mr. Weed of Brockin, dapt. WILLIS MON-FOR of Fair Haven, to Miss JOSEPHINE PETENGER of Southeaven, Long Island.

Smithtown, Long Island.

WILLIAMS-SHEFFIELD—At the residence of Mr. James
M. Sheffield on Thursday, March 77, by the Rev. Mr. Norton,
Mr. ALLAN K. WILLIAMS of Paterson, N. J., to Miss
LUCINDA SHEFFIELD, caughter of D. Sheffield, eq., of

WALKER - DARROW - On Thursday, March 27, at St. ALKER of Leeds, England, to Miss SARAH DARROW

ARMSTRONG-In Gosten, Orange County, N. Y., on Sunday, March 25, GEORGE W. ARMSTRONG, aged 60 years. ACTON-In this city, on Thursday, March 27, after a long and severe theory, WILLAM JUHN ACTON, aged I year, I month and Sdays.

month and adays.

BOSTWICK-On Thursday evening, March 27, of typhoid fever, ISAAC D. BOSTWICK, aged 23 years, 3 months and His friends, also those of his brother, Henry Bostwick, are respectfully havined to attend his funeral, from his late redderre. No. 109 Stanton street, on Sunday, March 30, at 25 o ceck p. m.

Bettland, Conn., papers please copy.

BURNETT—On Wednesday, March 36, GEORGE BURNEYT.

NETT. marsi from No. 204 East Nineteenth street. The remains were interred in the Cometery of the Evergreens. BRAGAW-In this city, on Thereday, March 27, FRANCES, you gest daughter of Issac A. and Elizabeth Bragam. and 2 years.

BOYD-On Thursday morning, March 27, JAMES H. BOYD, infant con of James H. and Amana Boyd, aged 4 days.

DEWEY—On Thursday, March J., EBENEZER S. DEWEY,
aged 57 years, 11 months and 27 days.

The relatives and friends of the family are respectfully invited
to attend his funeral, from his late residence, corner of Fifty
seventh street and Third avenue, on Sunday, March 30, at 1
clock p. m., without further invitation.

p. m., without further invitation.

—At White Plaine, on Friday, March 23, JAMES L.

James L. and Susan Ann Eliott, aged 5 years and

son of James L. Los Puese.

Incertia.

The funers; will take place at his grandfather's Mr. Thomas
Hunt, White Plains, on Sunday afternoon at I o'clock.

RylloGig-lic Brocklyn, on Thursday, March 27, in the 4th
year of his age, AUGUSTUS FAKE, son of Dan W. Reiyear of his age, according to Oakwood Cometery, Lansing-ling, esq. The remains will be conveyed to Oakwood Cometery, Lansing-

MERRITT-On 5th-day morning, at her residence, Quaker MORRIS-At his residence, No. 117 Wavetley place, in this city on Friday morning, March 25, THOMAS A. MORRIS.

city, or Friday morning, March 28, THOMAS A. MORRIS, in the First veur of his age.

The relative and friends of the family are respectfully invited to arend his feneral at St. Thomas's Church, on Sunday, 30th Morch at 12 p. m., without further notice.

McALFER-On Wednesday, March 28, 22d 16 years, 7 months and 9 days, Miss MARY MCALFER.

MARY MCALFER. McGEE-On Thersday, March 27, MARY McGEE.

McNALLY - On Thursday, March 27, aged 4 years, MaROARET McNALLY, daughter of Francis McNally. OWENS-On Thursday, March 27, JOHN HENRY OWENS, son of the late Philemon S. Owens, of consumption, aged 24 years, 8 months and 19 days.

PHELAN—On Thursday, March 27, after a lingering illness,
Mrs MARY PHELAN, agol 44 years.

PLUNKETT—On Thursday, March 27, after a lingering illness,
Mrs MARY PHELAN, agol 44 years.

PLUNKETT—On Thursday, March 27, agod 3 years and 6
months, SARAH PLUNKETT, daughter of Thomas and
Mary Plunkett.

Mary Flunkett.

PRIME—At Mamaronec, suddenly, at the house of his sou in-law A. P. Cummings, esq. on Thursday, March 77, the Rev. NATHANIEL SCUDDER PRIME, D. D., in the 71st year

OT his egs.

QUILLIARD—At his residence, at Rendout, Ulster County

N. Y. on Wednesday, March 26, C. S. QUILLIARD, in the
Tist year of his age.

Tist year of his san.

RUSSELL—On Thursday, March 27, GEORGE RUSSELL,
in the lithi year of his age.

His frends, also those of his brothers, Robert and John, are
respectfully invited to attend his functial, from the residence
of his brother John, No. 219 West Thirty-first screet, this
(Saturday) afternoon at 2 octock, without further invitation,
RAPEN—In Brocklys, on Thursday, March 27, JULIANA,
wife of H. H. Karen, in he 17th year of het age.

PAN O. W. RYAN-On Wednesday, March 28, BRIDRGET RYAN, aged

SICKLES-On Wednesday, March 26, JESSE H., infant so of Jesse S, and Elizabeth W. Sickles, aged 1 year, 4 mouth

snd 25 days.

SMITH-On Thursday, March 27, ISAAC A., eldest son of I. A and Contella Smith, aged 5 years, 7 months and 1 weez. Interred in Greenwood Cemetery.

TYLER-On Thursday, March 27, MARY ANN, daughter of Augustus H. and Jene Tyler, aged 8 months and 22 days.

WILSON-At his residence on Oak Hill, near Spracese, on Wednesday morning, March 12, of dropsy of the heart, aged 60 years, Oca, E. WILSON.

COMMERCIAL MATTERS.

| School | S

The Stock market is uninteresting, dull and heavy generally, exhibiting one of those lulls which fre-quently characterize the market without any appa-rent renser. The Money market is easy and Stocks are carried without any difficulty, but there appears to be an entire absence mementerily of speculation. The clanges to-day are unimportant and there is searcely a feature worthy of remark. The most active West ern Stock is Cleveland and Toledo, of which 4,000 shares sold, closing at 791 bid, an improvement of 4 P cent. Chicago and Rock Island sold at 96]. Michgen Southern 96. Milwaukee and Mississippi 861, &c. Nicaragua was quite dull in the morning, but at the Second Board 500 shares sold at 134 regular and 134 buyer thirty. Com Vanderbilt and Mr. White returned from Washington to day, but the result of their mission has not transpired. We have a rumor, however, that Government will institute an investigation into the difficulties between the Transit Company and Mr. Walker. We also hear that Mr. Garris San Francisco, who it was supposed was interested in the new transit grant, has written by the Illinois denying the possession of any interest in it. As Mr. Morgan has also made the same denial the new great appears to be as badly off for a father as was Japheth. It is probably considered bad policy for a banking house to have the reputation of running a steamboat opposition, especially against such an antagonist as Com. Vanderbilt. It is a significant fact also, that the house of Morgan, Garrison & Co. of San Francisco, which has recently been among the largest drawers of Exchange and shippers of gold,

has shipped nothing by the present steamer.

In Railroad Bonds the business was small but the market was quite firm, 917 being bid for Illinois Contral at the close. State Stocks are only in moderate demand and the market is heavy.

The Exchange market is inactive and heavy for Sterling, no drawer asking over 94 per cent; but Continental bills are steady and in fair demand. The business for the steamer to morrow has been small.

Freights are firmer for Grain. To Liverpool, 40,000 2 50,000 bushels Corn at 71 284c., in bulk and ship's bags; 200 tierces Bacon at 27s. 6d.; 800 bales Cotton, to fill up, at 1 29-32d. To London, 5,000 bbls. Crude Turpentine at 3s. & 2so lb; 1,000 boxes Choese at 30s. 6d. 235s. To Rotterdam, 900 bbls. Rosin at ts. 3d., and 500 bbls. Spirits Turpentine at 5c. To Bremen, 400 bbls. Rosin at 2s. 101d. #3s., and 800 bales Cotton at 3s. 4d.

The business at the Sub-Treasury was: Paid, \$106,-110 03, including \$65,000 California Drafts; Received, \$236,186 16, including \$75,000 for transfer Drafts on Beston, and \$15,000 on St. Louis; Balance, \$6,861,-145 04; Paid for Assay Office, \$2,065 78; Paid on

Disbursing Checks, \$29,080 36. The opening of the Clearing-House at Boston has made it necessary for the banks there to increase their specie line, and they have drawn recently about

The business of the Clearing-House to day, was \$17,969,000.

The Fleur market is firm, with an active demand for the East and city trade. The arrivals are moderite. State brands are \$6 814 287 25. Wheat is firm, and the demand for milling is fair. Rye is in demand for export; sales of 18,000 bushels at \$1 11 781 14. Corn is lower, especially for lots too damp for ship-ment. Pork is steady, with a fair demand for the East and home trade. Mess is \$16 25, and Prime \$15. Beef has a downward tendency. Bacon is firm, and is not plenty; sales of 50 tes. Cumberland short ribbed Middles at 8jc. for April delivery, and 1,500 bxs. short retrimed at 8@8 ic. for May delivery. Coffee and Sugar are firm, but not very active. In Molasses there is a fair demand at previous prices. The auction sales of Teas to-day went off at full prices. The market for Cotton is very active and strong. The

sales are 5.500 bales. The imports of Dry Goods for the week have been largely in excess of the same week last year, being \$2.107,671 against \$756,394. The details are:

		A CONTRACTOR OF THE PARTY OF TH	7/07/07/07	
	STERED FOR	CONSUMPTION.		
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Suk	816 575,625	Total	5,975	\$2,UTB,0T
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F104		BAWN.		
Manuf. of P		Manuf, of	Pkes.	Valura
Weel	84 6 19 435	Miscellaneous.	. 21	2,53
Cotton				and the same
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Flex	120 45 197	1885	1,723	6 230,60
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Cottou	23 9.119		160	4 20 55
Sux		Total	400	100 07
Flax		1855		
The Nationa	Bank bas	eciared a di	viden	d of 3

cent, payable on the 10th of April next, We have received the following note from Mr.

To the Editor of The N. Y. Tribune.

It is the Arlington Bank, D. C., and not the Washington Bank, as announced by telegraph, that has
ington Bank, as announced by telegraph. In relation to the matter The Washington Stor of

yesterday says:

"In seems that in May last Mr. Joseph W. Webb, who started the cencern, sold out all his interest in it. He hes since redeemed every dollar of the paper is sued while he was in any way connected with it. Subsequently it is said to have been the concern of one Mr. Sheldon, publisher of a bank-note detector in Chicago. Ep to Saturday hast its notes were duly sedemed by an agent here. Since then, however, the funds are said to have given out and the holders of its issues are left in the vocative. The agent had a desk in the exchange office of Mr. Webb on Pennsylvania avenue.

A loan for the Hannibal and St. Joseph Rallroad has just been taken up, and by one of the strongest list of subscribers we have ever seen on a railroad loan. The negotiation was conducted by John E. Thayer, esq. of Boston, his house taking \$500,000 of the bonds. In the list of subscribers we observe the names of McCalmet, Brothers & Co , and Baring, Brothers & Co. of London, John M. Forbes, James K. Mills, H. H. Hunnewell, Wm. P. Weld and Franklin Haven of Beston, Alexander Duncan, John C. Green, L. von Hoffman & Co., Schuchard & Gebbard and David Leavitt of New-York. The amount was \$4,000,000, and the security is a first lien upon all the land given by the Federal Government to this road, about 800,000 acres. Judging from the experience of the Illinois Central Railroad, and from the prices at which adjoining lots of land are now selling, the directors are confident that the lands will fully pay the entire cost of

the road and equipment, leaving a road out of debt and cesting nothing to the stockholders. The arrangement for paying off the bonds is new, and we think very good. As often as \$40,000 is paid in to the Trustees from the proceeds of lands, they are